

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-10
AGENDA DATE: Thu 08/26/2004
PAGE: 1 of 1**

SUBJECT: C14-04-0098 - Burnet Crossing - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5320 Burnet Road from general commercial services (CS) district zoning to commercial liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To grant commercial liquor sales (CS-1) district zoning. Applicant: W.D. Enterprises Company (Milford Desenberg). Agent: Thrower Designer (Ron Thrower). City Staff: Glenn Rhoades, 974-2775.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0098

Z.A.P. DATE: July 20, 2004

ADDRESS: 5320 Burnet Road

C.C. DATE: August 26, 2004

OWNERS: W-D Enterprises
(Milford Deseneberg)

AGENT: Thrower Design
(Ron Thrower)

ZONING FROM: CS

TO: CS-1

AREA: 661 sq. ft.

SUMMARY STAFF RECOMMENDATION:

Staff recommends the proposed change to commercial liquor sales (CS-1) district zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

To grant commercial liquor sales (CS-1) district zoning (Vote: 8-0, J. Pinelli – absent).

ISSUES:

The applicant is requesting the proposed change to add 661 square feet to an existing CS-1 footprint. The applicant intends to use the footprint for a liquor store. In the immediate vicinity there are four other properties zoned CS-1. However, none of those properties are used for the sale of alcohol.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS	Vacant shopping center
<i>North</i>	CS-MU-CO	Antique Store
<i>South</i>	CS and CS-1	Pharmacy, Shopping Center
<i>East</i>	CS and CS-1	3 Salons, 2 Thrift Stores, Auto Sales, Bank
<i>West</i>	MF-4 and LR	Apartments, Office

AREA STUDY: N/A

TIA: N/A

WATERSHED: Shoal Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

- #003 – Allandale Neighborhood Association
- #120 – Brentwood Neighborhood Association
- #283 – North Austin Neighborhood Alliance
- #470 – Koenig Lane Neighborhood Association
- #511 – Austin Neighborhoods Council

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-00-2050	CS to CS-MU-CO	Approved CS-MU-CO. The CO prohibits the following uses: adult oriented businesses, auto rentals, auto repair, auto sales, auto washing, building maintenance services, monument sales, pawnshops, personal improvement services, restaurant (drive through), service station, limited warehousing and distribution, congregate living and residential treatment (Vote: 9-0). 2/13/01.	Approved PC recommendation (Vote: 7-0). 3/22/01.

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
Burnet Road	80'	Varies	Arterial
North Loop	80'	Varies	Arterial

CITY COUNCIL DATE: August 17, 2004

ACTION:

ORDINANCE READINGS: 1st

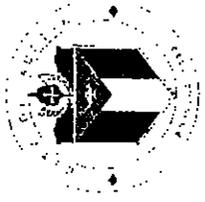
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Glenn Rhoades

PHONE: 974-2775



City of Austin Infrastructure Support Services

Case #C14-04-0098

Base
Subdivision



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STAFF RECOMMENDATION

Staff recommends the proposed change to commercial liquor sales (CS-1) district zoning.

BASIS FOR RECOMMENDATION

The proposed zoning should be consistent with the purpose statement of the district sought.

CS-1 – Commercial Liquor Sales is intended predominantly for commercial and industrial activities of a service nature that typically have operating characteristics or traffic service requirements generally incompatible with residential environments, and specifically includes liquor sales as a permitted use.

The proposed zoning should allow for a reasonable use of the property.

The applicant is simply adding a small amount of square footage to an existing CS-1 footprint. The proposed change is compatible with the commercial character of this portion of Burnet Road and will give the applicant a fair and reasonable use of the property.

Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.

The property in question is located on and will take access to Burnet Road, classified as an arterial roadway.

EXISTING CONDITIONS

Site Characteristics

The site is currently developed with what appears to be a newly constructed shopping center.

Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 419 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics). The proposed liquor store (661sf) will generate approximately 27 trips per day.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

There are existing sidewalks along North Loop.

North Loop is classified in the Bicycle Plan as a Priority 1 bike route. (Route #28)

Capital Metro bus service is available along Burnet Road (Route #3).

Impervious Cover

The maximum impervious cover limit allowed under CS-1 is 95%.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

According to flood plain maps, there is no flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

Right of Way

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or system upgrades, or offsite main extension, or utility adjustment, or utility relocation are required, the landowner will be responsible for all costs and providing. Also, the utility plan must be in accordance with the City's utility design criteria and specifications. The plan must be reviewed and approved by the Austin Water Utility.

Compatibility Standards

This site is not subject to compatibility development regulations.